

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
(Baltimore Division)**

In re:

Frank A. McKinney, Jr.  
and  
Ida K. McKinney

Case No. 18-18065-DER  
Chapter 7

Debtors

\* \* \* \* \*

**DEBTOR'S MOTION TO REDEEM PROPERTY  
PURSUANT TO 11 U.S.C § 722**

1. Movants, Frank A. McKinney, Jr. and Ida K. McKinney, are Debtors in the above-captioned Chapter 7 case. This matter is a core matter.
2. Among the dischargeable consumer debts listed in the petition filed herein is a loan from Santander Consumer USA secured by a 2014 Jeep Compass (the "Vehicle") owned by Movant.
3. The Vehicle is encumbered by a purchase money security interest in favor of Santander Consumer USA in the approximate amount (as of the petition date) of \$21,001.00 as per Debtors' Schedule D.
4. The replacement value considering the age and condition of the Vehicle is \$8,288.00 as per the valuation attached hereto as Exhibit A.
5. Since the replacement value of the Vehicle is less than the allowed secured claim of Santander Consumer USA, Movants wish to redeem the Vehicle pursuant to 11 U.S.C. § 722 for \$8,288.00.
6. Although the Vehicle has not been claimed as exempt by Movants pursuant to 11 U.S.C. § 522, it has been abandoned pursuant 11 U.S.C. § 554 (see Docket #17) and is used by them for personal, family or household purposes.

7. Debtors' Statement of Intention indicates that they will either redeem the Vehicle from Santander Consumer USA or reaffirm the loan.
8. No assets of the estate will be used by the Debtors in redeeming the Vehicle.

WHEREFORE, Movants pray this Court to order Santander Consumer USA to remove and mark satisfied any encumbrance or security interest against Movants' 2014 Jeep Compass upon payment to Santander Consumer USA of \$8,288.00.

Respectfully submitted,

Dated: August 6, 2018

/s/ Douglas R. Gorius  
Douglas R. Gorius, Bar No: 25387  
Douglas R. Gorius, PA  
511B Eastern Boulevard  
Baltimore, MD 21221  
(410) 391-0707  
[dgorius.esq@comcast.net](mailto:dgorius.esq@comcast.net)

Counsel for Debtor

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6<sup>th</sup> day of August, 2018, a copy of the Debtors' Motion to Redeem Property Pursuant to 11 U.S.C. § 722 and Notice of Motion was mailed, first class, postage prepaid, to the parties listed below except those parties which are registered CM/ECF participants who have consented to electronic notice and for whom the Notice of Electronic Filing indicates that Notice was electronically transmitted:

Frank J. McKinney, Jr.  
Ida K. McKinney  
9807 Bird River Road  
Middle River, MD 21220

Zvi Guttman, Trustee [zguttman@gmail.com](mailto:zguttman@gmail.com)

Santander Consumer USA  
5201 Rufe Snow Drive  
Suite 400  
North Richland Hills, TX 76180

Santander Consumer USA, Inc.  
565 Fifth Avenue  
New York, NY 10017

Santander Consumer USA, Inc.  
c/o Resident Agent  
The Corporation Trust, Incorporated  
2405 York Road  
Suite 201  
Lutherville Timonium MD 21093-2264

/s/ Douglas R. Gorius  
Douglas R. Gorius